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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSEPH J. FLOWERS,  
Plaintiff,

No. C 11-04805 YGR (PR)

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

vs.

MARIN COUNTY SHERIFF'S  
DEPARTMENT, et al.,  
Defendants.

United States District Court  
For the Northern District of California

On September 28, 2011, Plaintiff, a state prisoner, filed the present *pro se* prisoner complaint under 42 U.S.C. § 1983. He has paid the full filing fee. To date, he has not served any of the named Defendants. Pursuant to Federal Rule of Civil Procedure 4(m), if a complaint is not served within 120 days from the filing of the complaint, it may be dismissed without prejudice for failure of service.

On February 2, 2012, the Court issued an "Order to Show Cause Why Claims Against Unserved Defendants Should Not Be Dismissed." The Court directed Plaintiff, who, as mentioned above, paid the filing fee in this matter, to either provide the Court with proof of service of the summons and complaint upon the named Defendants against whom he alleges his claims, or otherwise show cause why the complaint should not be dismissed without prejudice as to each unserved Defendant pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. (Feb. 2, 2012 Order at 1-2.)

Plaintiff has received an extension of time in which to respond to the Court's February 2, 2012, Order. In an Order dated May 25, 2012, the Court extended the time for compliance, and it instructed Plaintiff that his failure to comply with the new deadline of to June 25, 2012 would result in the dismissal of all claims against any unserved named Defendants. (May 25, 2012 Order at 2.)

The June 25, 2012 deadline has passed, and Plaintiff has neither provided the Court with proof of service of the summons and complaint upon the named Defendants, or otherwise shown

1 cause why the complaint should not be dismissed without prejudice for failure of service.  
2 Accordingly, all claims against all unserved named Defendants are DISMISSED without prejudice  
3 under Rule 4(m). As no Defendants remain in this case, Plaintiff's entire action is also hereby  
4 DISMISSED without prejudice.

5 The Clerk of the Court shall enter judgment, terminate all pending motions, and close the  
6 file.

7 IT IS SO ORDERED.

8 DATED: July 2, 2012

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE

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